



Order 99-2-28  
March 2, 1999

UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, DC

Issued by the Department of Transportation  
on the 25<sup>th</sup> day of February, 1999

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**Applications/Motions of**

**American Airlines, Inc.**

**Dockets OST-96-1485**

**Continental Airlines, Inc.**

**OST-96-1080**

**OST-97-3092**

**Undocketed**

**Continental Airlines, Inc. and  
Continental Express, Inc.**

**Undocketed**

**Continental Micronesia, Inc.**

**OST-96-1198**

**OST-96-1202**

**Florida West International Airways, Inc.**

**OST-95-317**

**Millon Air, Inc.**

**OST-95-317**

**United Parcel Service Co.**

**OST-96-1492**

**USAir, Inc.**

**OST-96-1287**

for certificates, exemptions or other authorities or relief  
under 49 U.S.C. sections 41102 or 40109 and regulations  
of the Department of Transportation.

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**ORDER DISMISSING APPLICATIONS**

The captioned carriers have applied or petitioned for various forms of authority or relief under 49 U.S.C. sections 41102 or 40109 or regulations or orders of the Department, relating to the air transportation activities shown in the Appendix to this order. Each application or motion has been withdrawn or has otherwise become moot.

Accordingly, acting under authority assigned by the Department in its regulations, 14 CFR 385.13, we dismiss the applications and petitions shown in the Appendix to this order.

Persons entitled to petition for review of this order under the Department's regulations, 14 CFR 385.30, may file their petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Department of Transportation upon expiration of the above period unless within such period a petition for Department review is filed or the Department gives notice that it will review this order on its own motion.

The filing of a petition for review with respect to one of the dismissed items will not alter the effectiveness of this order with respect to the others.

By:

PAUL L. GRETCH  
Director  
Office of International Aviation

(SEAL)

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[http://dms.dot.gov/reports/reports\\_aviation.asp](http://dms.dot.gov/reports/reports_aviation.asp)*

## APPENDIX

**OST-96-1485 American Airlines, Inc.**, filed June 26, 1996, for exemption to provide scheduled foreign air transportation of persons, property, and mail between Chicago and Moscow, pursuant to a code-share arrangement with Transaero Airlines. On November 13, 1998, American filed a motion for leave to withdraw the application.

**OST-96-1080 Continental Airlines, Inc.**, filed February 16, 1996, for exemption authority, statement of authorization, and frequency allocation to provide code-share services with (1) Compania Panamena de Aviacion, S.A. (Copa) in the Panama City-Guayaquil; Panama City-Quito; Panama City-Houston/Los Angeles; Houston-Panama City; and Newark-Miami markets; and (2) Lineas Areas Costarricenses, S.A.(Lasca) in the Newark-Miami market; (3) Nicaraguense de Aviacion, S.A. (Nica) in the Newark-Miami market; (4) Aviateca in the Newark-Miami and Dallas/Ft. Worth-Houston markets; and (5) Taca International Airlines, S.A. (Taca) in the Newark-Miami; Dallas/Ft. Worth-Houston; and Houston-San Pedro Sula markets. By Notices of Action Taken dated May 16 and June 9, 1996, the Department granted certain of the authority requested (see Orders 96-6-38 and 97-7-42), and deferred on the remainder of the request. On August 10, 1998, Counsel for Continental orally notified the Department that Continental no longer wished to prosecute the outstanding portions of the application.

**OST-97-3092 Continental Airlines, Inc.**, filed November 6, 1997, for (1) exemption authority to engage in scheduled foreign air transportation of persons, property, and mail between Miami, Florida, and Moscow, Russia, via Shannon, Ireland, and (2) statement of authorization permitting Continental to display Aeroflot's "SU" designator code on Continental's flights between Newark/New York and Moscow. On January 26, 1999, Counsel for Continental withdrew the application in Docket OST-97-3092, and the related undocketed request.

**Undocketed Continental Airlines, Inc. and Continental Express, Inc.**, filed November 6, 1997, for statement of authorization permitting Continental and Continental Express to display Aeroflot's "SU" designator code on flights operated by Continental and Continental Express between Newark/New York, on the one hand, and Boston, Cincinnati, Dallas/Ft. Worth, Houston, Kansas City, Minneapolis/St. Paul, and Orlando, on the other, and between Miami, on the one hand, and Dallas/Ft. Worth, Houston, and Orlando, on the other. On January 26, 1999, Counsel for Continental and Continental Express withdrew the application to operate these code-share services.

**OST-96-1198 Continental Micronesia, Inc.**, filed March 28, 1996. Amend certificate of public convenience and necessity on Route 171 to provide scheduled foreign air transportation of persons, property, and mail between Honolulu, Hawaii, and Sendai, Japan, and to combine this authority with Continental Micronesia's existing exemption and certificate authority. On February 10, 1998, Continental Micronesia informed the Department that it no longer wished to pursue its application in Docket OST-96-1198.<sup>1</sup>

**OST-96-1202 Continental Micronesia, Inc.**, filed May 24, 1994. Amend certificate of public convenience and necessity on Route 171 to provide scheduled foreign air transportation of persons, property, and mail between Honolulu, Hawaii, and Osaka, Japan, and to combine this authority with Continental Micronesia's existing exemption and certificate authority. Continental Micronesia's request to amend its certificate for Route 171 was encompassed within its later application in Docket OST-98-3419 for the same authority and disposed of by Order 98-5-17.

**OST-95-317 Florida West International Airways, Inc.**, filed August 21, 1997, for three additional weekly frequencies for all-cargo services between the United States and Peru. On October 27, 1998, counsel for Florida West orally notified the Department that by Notice dated October 2, 1998, Florida West received new additional frequencies for U.S.-Peru all-cargo service in a separate docket (OST 98-4349) and, therefore, no longer wished to prosecute its request for additional frequencies in this docket. With this action, there are no outstanding requests in Docket OST-95-317.

**OST-95-317 Millon Air, Inc.**, filed August 8, 1997, for renewal of frequencies and request for additional frequencies to provide scheduled all-cargo air transportation services between the United States and Peru. By Orders 98-8-24 and 98-10-20, the Department revoked all of Millon's certificate authority to provide air transportation services. As the carrier is no longer conducting airline services, its application in Docket OST-95-317 for United States-Peru frequencies is moot.

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<sup>1</sup> See footnote 2 of Joint Motion of Continental and Continental Micronesia to Consolidate and Statement of Priorities filed February 10, 1998, in Docket OST-98-3419.

**OST-96-1492 United Parcel Service Co.**, filed June 28, 1996. Amend certificate of public convenience and necessity on Route 581 to authorize UPS to engage in foreign air transportation of property and mail between a point or points in the United States and Osaka, Japan, and to two points beyond Osaka. By Order 98-6-22 the Department granted UPS a certificate of public convenience and necessity on Route 581 between any point or points in the United States and two points in Japan, and beyond each of those points to two points. Since the requested authority is encompassed by its new authority on Route 581, UPS' certificate amendment application in Docket OST-96-1492 is moot.

**OST-96-1287 USAir, Inc.**, filed April 19, 1996. Renew certificate of public convenience and necessity to engage in scheduled foreign air transportation of persons, property, and mail between Baltimore/Washington and Montreal, Canada. By Order 95-6-26 the Department granted USAir a certificate of public convenience and necessity for broad U.S.-Canada authority (Route 666). By Order 97-7-2 the Department reissued, indefinitely, USAir's certificate for Route 666 to reflect its new name, US Airways, Inc. Since the authority to serve Washington/ Baltimore-Montreal is encompassed by its reissued authority on Route 666, US Airways' earlier certificate renewal application in Docket OST-96-1287 is moot.